



Congress of the United States
House of Representatives
Washington, DC 20515

May 13, 2005

The Honorable Ulla Schmidt
Federal Ministry for Health and Social Security
Wilhelmstrasse 49
11017 Berlin
GERMANY

Dear Minister Schmidt:

As members of Congress who represent Holocaust survivors living in Los Angeles, New York, Miami, Chicago, and other major metropolitan areas, we are writing to express concern about the staggering number of denials of applications for pension insurance filed under Gesetz zur Zahlbarmachung von Renten aus Beschäftigungen in einem Ghetto (ZRGB) for so-called "ghetto pensions."

On August 18, 2004, several of us sent you a letter detailing the problems encountered by ZRGB applicants. In your September 27, 2004 response, you indicated that an investigation had been undertaken to examine the concerns raised. With several months passed we would like to inquire about the progress and results of that investigation and highlight some particular areas of concern.

In its passage of the ZRGB law in 2002, the German Government offered a generous opportunity for individuals who worked in Nazi ghettos to qualify for government pensions. Unfortunately, the Landesversicherungsanstalt (LVA) has administrated the program with arbitrarily restrictive eligibility standards that have disqualified deserving applicants. The August 18 letter highlighted a number of these concerns in detail. We are pleased to hear of recent endeavors to address some of these problems, including: the confirmation of no minimum age for qualification; the announcement that laborers in the Thereisenstadt Ghetto could qualify under ZRGB; and, the clarification that previous survivor statements on unrelated restitution applications would not be used as the sole basis for rejection unless applicants are given the opportunity to clarify their previous statements. We would appreciate receiving from you written confirmation that instructions on these issues have been circulated to the relevant LVA offices handling ZRGB cases.

However, many problems still exist. For example, applications are still being routinely denied with historically incorrect assertions that a certain ghetto did not exist at the times claimed or on the basis of broad assumptions that 'at will' employment did not exist. Entire


labor, regardless of the particular circumstances described by an individual applicant. These categories include labor performed by a civilian ghetto resident for a police, military or quasi-military body; agricultural labor; domestic labor; and, general unskilled labor. The LVA office in Hamburg, which processes applications from US citizens, also continues to exhibit wildly erratic processing times, with many applicants still waiting up to and beyond a year for a response and some even being asked to repeatedly resubmit already completed applications.

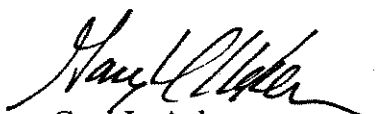
In addition, we would like your assurance that all changes to the eligibility criteria will be equally applied to new applications and those that were previously denied, especially if the allotted time for the applicant to submit an appeal expired before the changes were implemented. This retroactive consideration is necessary to ensure that the handling of applications and appeals is fair, expeditious, and consistent. It is also important to simplify the process for elderly applicants who have already endured tremendous frustration.

We urge you to work swiftly to improve the ZRBG program so that it meets the high standards of clarity and efficiency that have long been a hallmark of Germany's comprehensive compensation and restitution laws.


Thank you for your attention to this issue. We look forward to your response.

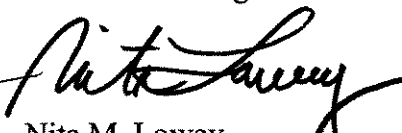
Sincerely,



Henry A. Waxman
Member of Congress



Gary L. Ackerman
Member of Congress

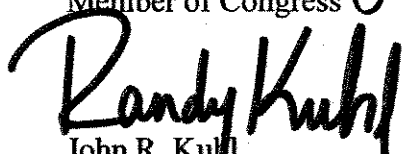

Debbie Wasserman Schultz
Member of Congress



Brad Sherman
Member of Congress

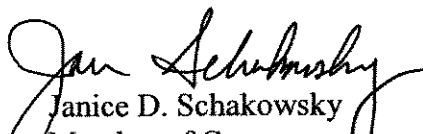

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